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Attorneys for Screenvision Cinema Network LLC

# UNITED STATES BANKRUPTCY COURT THE SOUTHERN DISTRICT OF NEW YORK

		X	
In re:		:	Chapter 11
		:	
GENERAL MOTORS CORP., et al.	,	:	Case No. 09-50026 (REG)
		:	
	Debtors	:	Jointly Administered
		:	·
		X	

# OBJECTION OF SCREENVISION CINEMA NETWORK LLC TO ASSUMPTION AND ASSIGNMENT OF CERTAIN EXECUTORY CONTRACTS AND CURE AMOUNTS RELATED THERETO

Screenvision Cinema Network LLC ("<u>Supplier</u>"), by its attorneys Foley & Lardner LLP, hereby submits this objection (the "<u>Objection</u>") to the Debtors' assumption and assignment of certain executory contracts and the Debtor's proposed Cure Amounts related thereto. In support of its Objection, Supplier states as follows:

## PRELIMINARY STATEMENT

1. There is a notation on the Debtors' contract website that may indicate that
Debtors have sent Supplier a notice of (I) Debtors' Intent to Assume and Assign Certain
Executory Contracts, Unexpired Leases of Real Property, and Unexpired Leases of
Nonresidential Real Property and (II) Cure Amounts Related Thereto (the "Assumption and
Assignment Notice"), in which the Debtors designate certain agreements (the "Assumable

<u>Executory Contracts</u>") between Supplier and the Debtors that may be assumed and assigned to Vehicle Acquisition Holdings LLC (the "<u>Purchaser</u>").

2. To date, Supplier has not received the Assumption and Assignment Notice and has been unable to ascertain the identity of the Assumable Executory Contracts or any Cure Amounts associated therewith.

## **ARGUMENT**

#### I. Notice is Deficient

- 3. To date, Supplier has not received the Assumption and Assignment Notice. While there is some indication on the Debtors' website that an Assumption and Assignment Notice has been sent to Supplier, Supplier has been unable to ascertain whether the Debtors intend to assume any contracts with Supplier or Cure Amounts associated therewith,
- 4. Supplier therefore objects to assumption of the Assumable Executory Contracts reserves all rights to object to ant Assumption and Assignment Notice received from the Debtors.

### **RELIEF REQUESTED**

WHEREFORE, Supplier requests that the Court enter an order denying the Debtor's request to assume and assign the Assumable Executory Contracts, and grant such other and further relief as the Court deems just and proper.

# 09-50026-mg Doc 1369 Filed 06/15/09 Entered 06/15/09 18:35:16 Main Document Pg 3 of 5

Dated: June 15, 2009 FOLEY & LARDNER LLP

By: /s/ Salvatore A. Barbatano
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UNITED STATES	BANKRUP	TCY COU	JRT
THE SOUTHERN	<b>DISTRICT</b>	OF NEW	<b>YORK</b>

	X	
In re:	:	Chapter 11
CENERAL MOTORS CORR	:	C N 00 50026 (DEC)
GENERAL MOTORS CORP., et al.,	:	Case No. 09-50026 (REG)
Deb	tors :	Jointly Administered
	:	
	X	

# **CERTIFICATE OF SERVICE**

I hereby certify that on June 15, 2009, I caused the *Objection Of Screenvision Cinema*Network LLC To Assumption And Assignment Of Certain Executory Contracts And Cure

Amounts Related Thereto to be served via U.S. Mail on the following at the addresses set forth below:

General Motors Corporation Attn: Warren Command Center Mail Code 480-206-114 30009 Van Dyke Avenue Warren, Michigan 48090-9025

U.S. Treasury Attn: Matthew Feldman, Esq. 1500 Pennsylvania Avenue NW Room 2312 Washington, D.C. 20220

Vedder Price, P.C. Michael J. Edelman, Esq. Michael L. Schein, Esq. Attorneys for Export Development Canada 1633 Broadway, 47th Floor, New York, New York 10019 Weil, Gotshal & Manges LLP Attorneys for the Debtors Attn: Harvey R. Miller, Esq. Stephen Karotkin, Esq. Joseph H. Smolinsky, Esq 767 Fifth Avenue New York, New York 10153

Cadwalader, Wickersham & Taft LLP Attn: John J. Rapisardi, Esq. Attorneys for the Purchaser One World Financial Center New York, New York 10281

Office of the United States Trustee Southern District of New York Attn: Diana G. Adams, Esq. 33 Whitehall Street, 21st Floor New York, New York 10004 Kramer Levin Naftalis & Frankel LLP Attorneys for the Official Committee of Unsecured Creditors Attn: Gordon Z. Novod, Esq. 1177 Avenue Of The Americas New York, NY 10036

Dated: June 15, 2009 FOLEY & LARDNER LLP

By: /s/ Salvatore A. Barbatano Salvatore A. Barbatano 500 Woodward Avenue, Suite 2700 Detroit, MI 48226-3489

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